



**CALFED
BAY-DELTA
PROGRAM**

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Memorandum

Date: May 3, 2000

To: Ecosystem Roundtable Project Amendment Subcommittee

From: Wendy Halverson Martin

Subject: Requests for Project Amendments

SUMMARY

Seven projects have requested a Level 1 amendment and two projects have requested a Level 2 amendment.

The following Level 1 amendments do not require Ecosystem Roundtable action, and are included for information.

Level 1 Project Amendments

Project and Proponent	Change Requested			Reason for Amendment
	Budget	Scope	Time	
Butte Creek Acquisition and Riparian Restoration (98-F03) CSU, Chico	None	Reduce re-vegetation and increase exotic NIS species removal.	None	Concerns raised by Reclamation Board that vegetation would increase flood potential upstream.
Sedimentation Movement and Availability and Monitoring in the Delta (97-B02) USGS	None	None	9 months (to June 2001)	Project started later than anticipated in proposal due to time required to contract.
Sediment Water Quality (98-C09a) Delta Protection Commission	None	None	3 months (to Sept 2001)	Delay in convening technical advisory panel.
Sediment Water Quality (98-C09b) Dept. of Fish and Game	None	None	6 months (to Sept 2001)	Delay in convening technical advisory panel.
Sediment Water Quality (98-C09c) RWQC	None	None	3 months (to Sept 2001)	Delay in convening technical advisory panel.

CALFED Agencies

California
The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board
Department of Food and Agriculture

Federal
Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Geological Survey
Bureau of Land Management
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
U.S. Forest Service
Department of Commerce
National Marine Fisheries Service
Western Area Power Administration

Level 1 Project Amendments

Project and Proponent	Change Requested			Reason for Amendment
	Budget	Scope	Time	
Hill Slough West Habitat Demonstration Project (98-F08) Dept. of Fish and Game	None	None	8 months (to Feb 2001)	Unanticipated difficulties in State contracting with private consultant.
Bacterial Treatment of Selenium in the Panoche Drainage (98-B14) UC Berkeley	\$22,956 (2 percent increase)	Increase	None	Improve monitoring using latest data gathered.

The following projects have requested a Level 2 project amendment. These amendments require Ecosystem Roundtable and Agency Liaison action.

Level 2 Project Amendments

Project and Proponent	Change Requested			Reason for Amendment
	Budget	Scope	Time	
Assessment of Ecological and Human Health Impacts of Mercury in the Bay-Delta Watershed (99-B06) San Jose State University Foundation	\$364,000 (10 percent increase)	Increase scope	None	Requested changes are based on recommendations from an external expert Scientific Review Committee
Fish Passage Improvement Project at the Red Bluff Diversion Dam (99-B07) Tehama-Colusa Canal Authority	None	Modify scope	None	Adjust funding between tasks to accommodate project management and environmental documentation.

ACTION

Ecosystem Roundtable Subcommittee members and Agency Liaisons are requested to consider the Level 2 amendments consistent with the contract amendment process (attached).

DISCUSSION

The contract amendment process provides for three levels of amendment depending on the nature and extent of the proposed change (budget, time, or scope). The process for these amendments is discussed on the attached page.

Project Amendments

The following projects have requested a project amendment requiring Ecosystem Roundtable subcommittee action, as follows:

1. Assessment of Ecological and Human Health Impacts of Mercury in the Bay-Delta Watershed (99-B06)

Issue: In 1999, CALFED approved a directed action of \$3,800,000 for the San Jose State University Foundation to provide information that will lead to a reduction of mercury in resident fish tissues to levels that are not harmful to humans and wildlife. As requested by CALFED, a panel of international mercury experts was assembled to critique the proposed study plan. The panel recommended that a number of tasks should be expanded and other tasks added if the study was to accomplish its objectives.

Staff Recommendation: Based on scientific evidence, the potential for actions of CALFED and other entities to increase the bioaccumulation of mercury appears to be a valid concern. Accordingly, this study is needed to provide important information and guidance to CALFED. The proposed additions to the project scope (external QA/QC for \$123,105; project management and coordination for \$75,000; external science review for \$48,000; and mercury speciation for \$117,895; totaling \$364,000) are important to the scientific credibility and overall success of the project. Money for this amendment may need to be taken from the Restoration Reserve fund if unallocated funds are unavailable.

2. Fish Passage Improvement Project at the Red Bluff Diversion Dam (99-B07)

Issue: In August 1999, CALFED approved \$1,000,000 for Tehama-Colusa Canal Authority to perform alternative selection on fish passage improvements. This award amount was less than the Authority proposed, with only tasks 1, 2, and 3 funded. The Authority has requested that \$350,000 be reallocated from Task 1 (Preliminary Engineering) to allow funding tasks 4 (Environmental Documentation, \$260,000) and 7 (Project Management, \$90,000).

Staff Recommendation: The change in scope is inconsistent with the Integration Panel recommendation, and fails to address the additional recommendation that cost sharing and community participation be incorporated. The change in scope should be declined. The project proponent should only implement tasks 1, 2, and 3, but should address the need to reduce scope sufficiently to address the \$90,000 project management needs and the local outreach requirement within the \$1,000,000 total allocation for this project.

Contract Amendment Process

Level 1 Amendments

Level 1 amendments would be defined as (a) cumulative time extensions up to nine months, (b) changes in scope of services which will not alter the final outcome of the project, and (c) budget increases not to exceed a total of \$25,000 for each contract. Decisions on amendments at this level would be made by contracting agency staff after consulting with CALFED staff. Contracting agencies may delegate decision-making to the Executive Director of the CALFED Bay-Delta Program, as appropriate.

Level 2 Amendments

Level 2 amendments consist of requests for (a) cumulative time extensions over 9 months, or (b) cumulative budget increases up to 30% of the contract amount, but not greater than \$500,000 or (c) changes in scope of services which alter the final outcome of the project.

These amendment requests would be considered by an Ecosystem Roundtable subcommittee which would meet in a publicly noticed meeting and consider each amendment in detail. The Ecosystem Roundtable members would provide review and comment on the proposed amendments. A group of Management Team members would participate in reviewing the contract amendments at the same meeting with members of the Roundtable subcommittee. The Management Team subgroup would then make their recommendation with the input from the Ecosystem Roundtable members. The Management Team subgroup could decide whether an individual item merits full Management Team review and discussion, and/or Policy Group review. If an item is identified as not meriting additional discussion, then the Management Team subgroup's recommendation would be transmitted directly to the appropriate contracting agency. Interior, Resources Agency, and the Environmental Protection Agency would have the final approval over their respective funding sources.

Level 3 Amendments

Level 3 amendments consist of amendment requests of cumulative budget increases of 30% or more of the contract amount or over \$500,000. Level 3 amendments will be reviewed through the same process as Level 2 amendments, but will need to be presented to the Policy Team who will transmit their recommendation to the respective funding source.

Reporting

The Management Team, Policy Group, Ecosystem Roundtable and BDAC would have all amendments reported to them as information items.